

93^d CONGRESS
2^d SESSION

H. R. 13038

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 26, 1974

Mr. HANLEY introduced the following bill; which was referred to the Committee on Post Office and Civil Service

A BILL

To amend title 5, United States Code, to protect civilian employees of the executive branch of the United States Government in the enjoyment of their constitutional rights, to prevent unwarranted governmental invasions of their privacy, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That (a) chapter 71 of title 5, United States Code, is
4 amended by adding at the end thereof the following new
5 subchapter III:

6 “SUBCHAPTER III—EMPLOYEE RIGHTS

7 “§ 7171. Policy

8 “It is the policy of the United States, as an employer,
9 to assure that those officials of Executive agencies charged

I—O

1 to submit to or comply with any requirement, re-
2 quest, or action prohibited by this subsection; or

3 “(B) the exercise by the employee of any
4 right, entitlement, benefit, or other protection
5 granted or secured by this section and section 7175
6 of this title.

7 “(b) The provisions of subsection (a) of this section do
8 not apply to—

9 “(1) the Central Intelligence Agency;

10 “(2) the National Security Agency;

11 “(3) the Federal Bureau of Investigation; or

12 “(4) any other Executive agency, or part thereof,
13 as the President, in the interest of national security,
14 may recommend to the Congress.

15 The exemption recommended by the President and trans-
16 mitted to the Congress under paragraph (4) of this sub-
17 section shall become effective at the end of the first period
18 of 30 calendar days of continuous session of the Congress
19 after the date on which the recommendation is transmitted
20 unless, between the date of transmittal and the end of the
21 30-day period, either the committee of the House of Repre-
22 sentatives or the committee of the Senate to which the recom-
23 mendation has been referred adopts a resolution which specifi-
24 cally disapproves the exemption so recommended and trans-

1 mitted. The continuity of a session is broken only by an ad-
2 journment of the Congress sine die. The days on which
3 either House is not in session because of an adjournment of
4 more than 3 days to a day certain are excluded in the compu-
5 tation of the 30-day period.

6 “(c) (1) An employee of, or an applicant for employ-
7 ment in, an Executive agency who claims to be aggrieved by
8 a violation or threatened violation of subsection (a) of this
9 section is entitled to file a grievance with the agency con-
10 cerned not later than 15 days after the date of the violation
11 or threatened violation.

12 “(2) If—

13 “(A) the decision on the grievance by the Execu-
14 tive agency is adverse to the employee or applicant; or

15 “(B) after 60 days from the date the grievance is
16 filed the Executive agency has not issued a decision on
17 the grievance;

18 the employee or applicant is entitled to file a complaint with
19 the Board on Employee Rights not later than 15 days after
20 the adverse decision or the expiration of the 60-day period,
21 as the case may be.

22 **“§ 7174. Board on Employee Rights**

23 “(a) There is hereby established a Board on Employee
24 Rights composed of three members appointed by the Presi-
25 dent, by and with the advice and consent of the Senate, one

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ROUTING AND RECORD SHEET

SUBJECT: (Optional)

H. R. 13038

FROM:

OLC
7D35

EXTENSION

NO.

DATE

19 March 1974

TO: (Officer designation, room number, and building)

DATE

RECEIVED

FORWARDED

OFFICER'S
INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

1. OGC
Attn: Mr. Warner

3/21/74

2.

JW

3/21

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JDM
RHL

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15.

Bill by Hanley on invasion of privacy of Government employees. He helped protect our interests in the last Congress.

Note the Agency exemption from subsection (a) of the bill on page 9. Do you agree that this exemption is sufficient?

Assistant Legislative Counsel

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